

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SIXTYEIGHTH LEGISLATURE,

At its Session, held in January, 1836.

Published agreeably to the Resolbe of June 28, 1820.

AUGUSTA:

SMITH AND ROBINSON,.....PRINTERS TO THE STATE.

1836.

Powers and duties.

with power to give, grant, bargain, sell or convey the same as they may see fit and expedient; and said Corporation shall have and may exercise all the powers, privileges and immunities usually granted to and used by similar Corporations and be subject to all the duties and requirements contained in the several Acts defining the general powers and duties of Corporations, and also to an Act passed the sixteenth day of February one thousand eight hundred and thirty six.

Manner of calling first meeting.

SECT. 2. *Be it further enacted*, That the first meeting of the Corporation aforesaid shall be holden at such time and place, and be notified in such manner, as a majority of the persons herein named may direct.

Chapter 110.

AN ACT additional to an Act, to incorporate the Bangor and Old Town Railway Company.

Approved March 15, 1836.

Powers of corporation.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That said Corporation be, and they hereby are authorized to construct and maintain such turnouts and branch Railways as may be necessary for the convenience of said Corporation, and for the accommodation of mills which are or may be situated within two hundred rods of the main track of said road, *provided* such branch Railways and turnouts may extend across the main Penobscot River, to Milford Village, at or near Oldtown Village, and at no other place.

Proviso.

Rates of toll.

SECT. 2. *Be it further enacted*, That said Corporation be, and is hereby authorized to receive such tolls as may be agreed upon by the parties for transportation upon such Railway, *Provided however*, that said Corporation shall not exact and receive more than the following rates; to wit: For the transportation of sawed lumber, board measure, from the mills at Oldtown to Bangor, per thousand feet, one dollar and thirty three cents; clapboards per thousand,

eighty cents; laths per thousand, twenty five cents; shingles per thousand, fifteen cents—For transportation of sawed lumber, from Stillwater Mills to Bangor, per thousand feet, one dollar; and for other lumber of the description aforesaid, in the same proportion; and those rates to be the basis for intermediate distances exceeding five miles—For each passenger from Bangor to Oldtown or from Oldtown to Bangor, forty cents; and for each passenger from Bangor to Stillwater, or from Stillwater to Bangor, thirty three cents—For merchandize and other articles a toll not exceeding fifteen cents per ton per mile. And a lien is hereby created on all articles so transported for the toll and expenses of transportation. And the tolls aforesaid shall be subject to the control of the Legislature, from and after the expiration of ten years from the completion thereof, *Provided*, said tolls shall not be so far reduced by the Legislature, as to render the net profits of said Railway, after deducting all necessary expenses, less than twelve per cent. upon the cost of said Railway, taking the five preceeding years as the basis of calculation.

Tolls subject to control of the Legislature.

Proviso.

SECT. 3. *Be it further enacted*, That said Corporation shall at all times, when said Railroad is passable, be bound and holden to transport all lumber or other articles, at the tolls named in the second section of this act.

Holden to transport lumber and other articles.

SECT. 4. *Be it further enacted*, That the Books of said Corporation, shall, at all times, be open to the inspection of the Governor and Council, and of any Committee duly authorized by the Legislature; and, at the expiration of ten years from the completion of said Railroad, the Treasurer of said Corporation shall make an exhibit under oath to the Legislature of the net profits derived from said Railroad.

Books to be opened at all times to inspection of Gov. and Council, &c.

SECT. 5. *Be it further enacted*, That said Corporation may make such by laws as may be necessary for the management of their affairs, not repugnant to the laws of this State; and if one half the labor of grading said Road shall not be performed the ensuing season, then this Act, and the Act to which this is additional, shall be void.

May make by-laws, &c.

PENOBSCOT RIVER RAIL ROAD CORPORATION.

Power of guardians in certain cases.

SECT. 6. *Be it further enacted,* That when said Corporation shall take any land, or other estate, as authorized by the Act to which this is additional, of an infant, person non compos mentis, or feme covert whose land is under guardianship, the guardian of such infant, or person non compos mentis, and such feme covert with the guardian of her husband, shall have full power and authority to agree and settle with said Corporation for damages, by reason of taking such land or estate as aforesaid, and give good and valid releases and discharges therefor.

Privileges granted to other Rail Roads.

SECT. 7. *Be it further enacted,* That the Bangor and Oldtown Railway Company, the Bangor and Piscataquis Canal and Rail Road Company, and the Penobscot River Rail Road Company shall severally have the right to pass over or under, or to cross at grade, any Rail Road, belonging to either of said Corporations which may be constructed, within the village of Oldtown, in a manner not to injure such Rail Road, or impede the travel thereon.

Proviso.

Provided, That nothing in this section shall be construed, as giving the Bangor and Piscataquis Canal and Rail Road Company, any right to cross the track of the Bangor and Oldtown Railway, unless they have the right by their present charter to go to Oldtown village: nor any right to the Penobscot River Rail Road Company, unless the right to go to Oldtown village has been, or may be granted said Company in their Charter.

Chapter 111.

AN ACT to establish the Penobscot River Rail Road Corporation.

Approved March 15, 1836.

Names of corporations.

SECT. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That Deodat Brastow, Joseph R. Folsom, Henry Darling, Joseph Bryant and Sewall Lake, their associates, successors and assigns be, and they hereby are made a Corporation by the name of